

REMARKS

Responsive to the official communications of November, Applicant submits the following Remarks.

Amendments to the Claims

Upon entry of the foregoing amendments, claims 1 to 10 are pending in the application. Of the pending claims, claims 1 and 6 are independent.

I. Claims 1 to 10 are Patentable Over Stoeckicht and the '850 Patent

Claims 1 to 10 were rejected under 35 U.S.C. § 103 as being rendered unpatentable by U.S. Patent No. 3,011,365 issued to Stoeckicht (hereinafter Stoeckicht) in light of patent No. GB 949,850 (hereinafter the 850 patent).

More particularly, the Office Action asserts that it would have been obvious to make the sun gear and the planet gear of Stoeckicht such that the first and second gear parts are joined by a weld in view of patent GB 949,850 in order to reduce the cost of gear fabrication. Claim 1 recites, in pertinent part, the first planet gear part of each planet gear having planet first helical teeth and the second planet gear part of each planet gear having planet second helical teeth, the first and second planet gear parts of each planet gear being coaxial and joined by a weld such that the planet first and second helical teeth are axially adjacent

As the Office Action admits, however, Stoeckicht fails to teach the first and second gear parts being joined by a weld. Regarding the '850 patent, this reference describes fusing an overlay to a base member by performing multiple welding passes

and forming teeth in the overlay. See Column 1, lines 30-43. Thus the '850 patent describes a base member without teeth and an overlay with teeth formed therein. In contrast, claim 1 recites the first and second gear parts each having helical teeth. Thus, the weld described by the '850 is not between a first gear part and a second gear part each of which has teeth. Since Stoeckicht also fails to teach a weld between a first and a second gear part as set forth in claim 1, a prima facie case of obviousness has not been set forth.

Moreover, Stoeckicht teaches away from the present invention. At column 1, line lines 25 to 30 Stoeckicht describes the object of the invention as being the manufacture of a less expensive gear. Furthermore, Stoeckicht describes combining the two helices into one unit by means of a screw. See column 2, lines 41-45. Since combining the two helices by welding is more expensive than simply using a screw to combine the two helices, and since Stoeckicht is directed to less expensive gears, Stoeckicht teaches away from welding the gear parts together. Accordingly it is improper to use Stoeckicht alone, or in combination, to render the claimed invention obvious.

Thus, the applicant respectfully requests that the rejection of claim 1 and the claims dependent thereon, claims 2 to 5, be withdrawn. For similar reasons the Applicant also requests that the rejection of claims 6 to 10 be withdrawn.

II. Claims 1 to 10 are Patentable Over McKibbin and the '850 Patent

Claims 1 to 10 were also rejected under 35 U.S.C. § 103 as being rendered unpatentable by U.S. Patent No. 5,472,383 issued to McKibbin (hereinafter McKibbin) in view of the '850 patent.

Again, the '850 patent describes welding a base member without teeth and an overlay with teeth formed therein together instead of a weld between a first and a second gear part each having teeth as recited by claim 1. Furthermore, while McKibbin describes gears that are split into two pieces to facilitate assembly and disassembly (see column 3, lines 5-8) it is otherwise silent regarding welding the pieces of the gears together. Thus, with regard to the combination of McKibbin and the '850 patent, a prima facie case of obviousness has not been set forth.

Thus, the applicant respectfully requests that the rejection of claim 1 and the claims dependent thereon, claims 2 to 5, be withdrawn. For similar reasons the Applicant also requests that the rejection of claims 6 to 10 be withdrawn.

III. Conclusion

For the foregoing reasons, Applicant respectfully submits that claims 1 to 10 are allowable over Stoeckicht and McKibbin.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required beyond those, which may otherwise be provided for in documents accompanying this Amendment. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account 20-0823.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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